

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 849 – HB 902

March 21, 2013

**SUMMARY OF BILL:** Authorizes the county sheriff, with approval by two-thirds majority of the county legislative body, to form a county militia as a reserve unit during times of natural disaster, emergency, or other crisis within the county as determined by the sheriff. The size of the militia is to be determined by the sheriff and militia members are not to be paid for their services, but are authorized to bear arms. Authorizes an adjutant general to be appointed by the Department of Military to activate any county militia established.

**ESTIMATED FISCAL IMPACT:**

**Other Fiscal Impact – To the extent a county elects to form a militia, such action may result in a permissive increase in local government expenditures for the county for training and additional liability insurance. The extent of any permissive increase in local expenditures is dependent on several unknown factors and cannot be determined. The act of establishing a militia will not result in any significant fiscal impact to local government.**

Assumptions:

- The provisions of the bill are permissive to local governments.
- According to the Department of Military, this bill will not fiscally impact the Department.
- Members of the county militia will not be compensated for their services, and the sheriff shall determine the size of the militia.
- According to County Technical Assistance Service (CTAS), most sheriffs currently have reserve or auxiliary officers which volunteer their time to the county. Volunteers do not work independently or unsupervised and the county is responsible for such volunteer training and liability.
- According to CTAS, this bill could result in increased expenditures for the county for increased liability coverage for militia members and any training that needs to be provided to new volunteers; however such permissive costs cannot be quantified due to multiple unknown factors, including but not limited to, how many counties will choose to establish a militia, the size of the militia established by the sheriff, and the extent of liability insurance coverage needed by the county to cover members.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise". The signature is fluid and cursive, with the first name "Lucian" written in a larger, more prominent script than the last name "Geise".

Lucian D. Geise, Executive Director

/jrh